

**DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

WELLS FARGO BANK, N.A.,

Plaintiff,

v.

CLAUDETTE CAMBRAN and PATRICIA  
POND,

Defendants.

1:10-cv-00104

**ACTION FOR DEBT AND  
FORECLOSURE**

**WRIT OF EXECUTION**

**WHEREAS**, on February 7, 2018, Wells Fargo Bank, N.A., as Plaintiff, recovered an Order and Judgment in the above-entitled Court against Claudette Cambran and Patricia Pond, Defendants, in the sum of \$129,945.88, together with interest at the rate of 8.5% until the date of entry of the judgment, plus interest thereafter until paid at the statutory rate of 4% per annum (for a total through January 23, 2019 of \$159,934.93) (Doc No. 128); and

**WHEREAS**, the court denied a motion to reconsider by order entered April 17, 2018 (Doc No. 136); and

**WHEREAS**, all of the above sums are still (at the date of this Writ) due and owing Plaintiff on said judgment; and

**WHEREAS**, the judgment requires the real property described below to be sold at a marshal's sale, subject to specific terms; and

**WHEREAS**, Plaintiff has filed a praecipe seeking a marshal's sale of the real property.

**NOW, THEREFORE**, you, the District Court Marshal, are hereby required to receive the said sums due and accruing costs and interest to satisfy the Judgment in lawful money of the Virgin Islands of the United States out of the real property situate in St. Croix described as follows:

**Plot 68 of Parcel 42 of Estate Eliza's Retreat ("Flamboyant")**, East End Quarter "A", St. Croix, United States Virgin Islands, consisting of 5,190.04 square feet, as more fully shown on PWD No. 1727-10, dated May 07, 1969.

and make return of this Writ within sixty (60) days after your receipt hereof, with what you have done endorsed hereon.

Specifically, you are required to

a) Post Notice of a Marshal's Sale for four (4) weeks prior to the sale in a public place in or near the Office of the Clerk of Court; and

b) Publish once a week for at least four (4) consecutive weeks prior to the sale in a newspaper regularly issued and of general circulation in the US Virgin Islands, said notice describing the property as set out above and containing the terms and conditions of sale as set out below; and

c) Sell the real property as a whole at a public sale at the Office of the United States Marshal, 3013 Estate Golden Rock, Christiansted, U.S. Virgin Islands;

d) Allow Wells Fargo Bank, N.A. to bid a credit against its Judgment and interest thereon, plus any costs and expense, without tender of cash; and

e) Require of all other persons or parties bidding to pay in cash, bank check, money order, or other certified funds; and

f) Require of any successful bidder that he deposit with the United States Marshal cash equal to ten (10%) percent of his total bid at or before 5:00 pm on the date of the sale of the Property and the remaining ninety (90%) percent of said purchase price to be paid on or before 5:00 pm within thirty (30) days, inclusive, of the date of sale of the property; and

g) Require the successful bidder to be responsible for the payment of any commission due and owing to the United States Marshal pursuant to 28 USC § 1921 and for the payment of stamp taxes, recording fees, and related charges associated with obtaining and recording a deed to the property; and

h) Apply the sales proceeds first to the expenses associated with the sale, including but not limited to the costs of publication and the commission assessed by you pursuant to 28 USC § 1921, then toward satisfaction of the judgment aforesaid, including any costs and attorney's fees

awarded upon subsequent application and any sums that may be paid by Wells Fargo for insurance premiums, taxes, and expenditures necessary to maintain the real property described above, with interest from the date of any such payment; and

i) Pay the surplus, if any, remaining after application of the proceeds as provided above, to Claudette Cambran and Patricia Pond as required by 5 V.I.C. § 489(5); and

j) Make your report of the sale within ten (10) days of the date of the sale.

WITNESS my hand at Christiansted, VI, this 28<sup>th</sup> day of January, 2019.

GLENDALAKE, ESQUIRE  
CLERK OF COURT

BY:

Marilyn Gray  
GENERALIST SUPERVISOR

Judgment Principal as of 4/21/2017	\$129,945.88
Plus interest at 8.5% until 2/7/18 (350 days x \$30.2614)	10,591.49
Plus interest at 4% 4/22/17 through 1/23/2019 (641 days x \$30.2614)	<u>19,397.56</u>
<b>TOTAL AS OF 1/23/19:</b>	<b><u>\$159,934.93</u></b>

Plus interest accruing at 4.0% per annum until the Judgment is paid in full.

#### Return of Service

I HEREBY certify that I received this Writ of Execution on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and that thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, I served the same on the above-mentioned Defendants and that:

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MARSHAL

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DEPUTY

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